

E FILED ON 05/24/2016
THOMAS E. CROWE, ESQ.
THOMAS E. CROWE PROFESSIONAL
LAW CORPORATION
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Attorney for Debtor
Nevada State Bar no. 3048

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

* * * * *

In re:)	BANKRUPTCY NUMBER:
)	BK-S-16-10769-BTB
LEONARD A. MANCUSO, II.)	Chapter 13
)	
Debtor.)	DATE: June 7, 2016
)	TIME: 10:00 a.m.

OPPOSITION TO MOTION FOR RELIEF FROM STAY

Comes now, Debtor above-named, by and through his attorney THOMAS E. CROWE, ESQ., and oppose the motion FOR RELIEF FROM STAY filed by Space Coast Credit Union, based upon the points and authorities attached hereto.

DATED this 24th day of May, 2016.

THOMAS E. CROWE PROFESSIONAL
LAW CORPORATION

By /s/ THOMAS E. CROWE
THOMAS E. CROWE, ESQ.
2830 S. Jones Blvd., Suite 3
Las Vegas, Nevada 8946
Attorney for Debtor

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POINTS AND AUTHORITIES

The aforementioned Debtor filed for relief under Chapter 13 of Title 11 of the Bankruptcy Code on or about February 22, 2016. The Debtor herein opposes the Motion For Relief From Automatic Stay filed herein by Space Coast Credit Union, by and through its attorney, Gary L. Compton, Esq., based upon the following points.

Debtor agrees that the automobile has no equity. The second prong of Code §362(2) is, however, not met since Debtor has a reasonable prospect of confirming the Plan. Debtor is an above-median Debtor and secured debts may be paid in preference to unsecured creditors under Code §§1325(b)(3) and 707(b)(2). Moreover, no “cause” has been shown under Code §362(d)(1) since the insured amount is equal to Debtor’s valuation of the vehicle (which is in part based upon a multitude of required repairs). See appraisal as **Exhibit 1**.

DATED this 24th day of May, 2016.

Respectfully Submitted:

THOMAS E. CROWE PROFESSIONAL
LAW CORPORATION

By /s/ THOMAS E. CROWE
THOMAS E. CROWE, ESQ.
2830 S. Jones Blvd., Suite 3
Las Vegas, Nevada 89146
Attorney for Debtor

Exhibit 1

CarMax APPRAISAL OFFER

Name: LEO MANCUSO
Address: 7850 SUMMER SOLSTICE ST
LAS VEGAS NV 89131
Vehicle: 2005 MAYBACH SERIES 57 N/A
Mileage: 59,369 **Engine:** N/A
VIN: WDBVF78JX5A001456
Color: BLACK

Contact:
BILL TOOMBS
7244 - WEST SAHARA, NV
Date:
10/26/2015

FEATURES CONSIDERED

POWER LOCKS POWER WINDOWS
SUNROOF(S) AM/FM STEREO
CD AUDIO BOSE SOUND SYSTEM
ALPINE SOUND SYSTEM AIR CONDITIONING
REAR DEFROSTER ABS BRAKES
FULL LEATHER INTERIOR POWER SEAT(S)
MEMORY SEAT(S) FRONT SEAT HEATERS
REAR SEAT HEATERS POWER MIRRORS
NAVIGATION SYSTEM DVD VIDEO SYSTEM
ALLOY WHEELS 20 INCH PLUS WHEELS
AUTOMATIC TRANSMISSION
TRACTION CONTROL, A/C SEAT(S), SIDE AIRBAGS,
OVERHEAD AIRBAGS, POWER HATCH/DECK LID, REAR
SUNSHADE, REAR A/C SEAT(S), SMART KEY

CONDITIONS ASSESSED

284102

Engine:	Runs Improperly	Roof:	Needs Paintwork
Dash:	Warning Lights	Front Seats:	Good Condition
Rear Seats:	Good Condition	Carpet:	Good Condition
Transmission:	Good Condition	Front Tires:	Good Condition
Rear Tires:	Good Condition	Wheels:	Good Condition

APPRAISAL OFFER

\$26,000

This offer is valid until the close of business on 11/02/15.

If you purchase a CarMax vehicle while selling us your vehicle,
you could be eligible for tax savings up to \$2,106.00

This offer is good for 7 days and will be honored at all CarMax stores.

After 7 days, your vehicle will need to be reappraised and the **offer may change**.

Comments

PLEASE ASK FOR A CERTIFIED APPRAISER IF THERE ARE ANY QUESTIONS.
THANKS FOR HAVING YOUR VEHICLE APPRAISED

Your Appraiser

DANIEL M.
- CarMax Certified Appraiser

We've appraised more than 19 million vehicles. Your appraiser can provide a detailed explanation of how we determined your offer – just ask!

SELL US YOUR CAR

AND WALK AWAY WITH PAYMENT IN HAND

When you sell to CarMax, you can avoid the hassles of selling your car yourself: • depreciation • additional car payments • costly advertising • the uncertainties of an unknown buyer (inspections, negotiations, and payment).

TO SELL US YOUR VEHICLE

- Title (if it is not with a lienholder)
- Valid registration
- Valid state-issued photo ID for all titleholders
- All keys and remotes (if applicable)

**CERTIFICATE OF MAILING OF RE: OPPOSITION TO MOTION FOR
RELIEF FROM STAY**

I, DONOVAN BOSQUE, hereby certify that a copy of the OPPOSITION TO MOTION FOR RELIEF FROM STAY filed herein, in the above-entitled case, was mailed by me on the 24th day of May, 2016 by depositing copies thereof in a sealed envelope, first-class postage prepaid, in the United States Mail, to the parties and addresses as follows:

Gary L. Compton, Esq.
2950 E. Flamingo Road., Suite L.
Las Vegas, NV 89121

Rick A. Yarnall
Chapter 13 Trustee
701 Bridger Ave., #820
Las Vegas, NV 89101

DATED this 24th day of May, 2016.

/s/ DONOVAN BOSQUE
DONOVAN BOSQUE, an employee of
THOMAS E. CROWE PROFESSIONAL